

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

THOMAS A. MELVILLE,
Plaintiff,
v.
WARDEN HENLEY, et al
Defendants

Case No.: 3:24-cv-00192-ART-CLB

ORDER

(ECF No. 1)

I. DISCUSSION

10 Plaintiff initiated this case with an application to proceed *in forma pauperis* for
11 inmates. (ECF No. 1). When Plaintiff initiated this case, he was in the custody of the
12 Nevada Department of Corrections, but he subsequently filed a notice of change of
13 address, indicating that he was in the custody of the Arizona Department of Corrections.
14 (ECF No. 11). However, according to the Arizona Department of Corrections online
15 inmate database, Plaintiff is now on community supervision. As such, it appears that
16 Plaintiff is no longer in the custody of the Arizona of Department of Corrections.

17 Therefore, the Court denies Plaintiff's application to proceed *in forma pauperis* for
18 inmates as moot. The Court directs Plaintiff to file an application to proceed *in forma*
19 *pauperis* by a non-prisoner or pay the full filing fee of \$405. It is not clear whether Plaintiff
20 is still receiving mail at the last address that he provided to the Court. The Court directs
21 Plaintiff to either file a notice confirming that he is still receiving mail at the last address
22 that he provided to the Court or else file his updated address with the Court.

II. CONCLUSION

24 **IT IS THEREFORE ORDERED** that the application to proceed *in forma pauperis*
25 for inmates (ECF No. 1) is **DENIED** as moot.

26 **IT IS FURTHER ORDERED** that, no later than **May 16, 2025**, Plaintiff will either:
27 (1) file a fully complete application to proceed *in forma pauperis* for non-prisoners; or (2)
28 pay the full filing fee of \$405.

1 **IT IS FURTHER ORDERED** that the Clerk of the Court WILL SEND Plaintiff the
2 approved form application to proceed *in forma pauperis* by a non-prisoner, as well as the
3 document entitled information and instructions for filing an *in forma pauperis* application.

4 **IT IS FURTHER ORDERED** that, no later than **May 16, 2025**, Plaintiff will either
5 file a notice confirming that he is still receiving mail at the last address that he provided
6 to the Court or else file an updated address with the Court.

7 **IT IS FURTHER ORDERED** that, if Plaintiff fails to timely comply with this order,
8 this action will be subject to dismissal without prejudice. A dismissal without prejudice
9 allows Plaintiff to refile the case with the Court, under a new case number, when Plaintiff
10 can file a complete application to proceed *in forma pauperis* for non-prisoners or pay the
11 required filing fee.

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13 DATED THIS 16th day of April 2025.

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17 UNITED STATES MAGISTRATE JUDGE

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